

PUBLIC EMPLOYMENT RELATIONS BOARD
STATE OF IOWA
FACT FINDING

2002 JUL -1 AM 11:28
PUBLIC EMPLOYMENT
RELATIONS BOARD

MASON CITY, IOWA

The Employer

and

INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, LOCAL 828,
POLICE DEPARTMENT

The Union

FACT FINDING REPORT

APPEARANCES

For the Employer:

Chuck McManigal, Attorney
Brian Carrott, HR Manager
David Ellingson, Police Chief

For the Union:

Ron Wheeler, Local 828 Business Agent
David Houser, Steward
Alan Haubrich, Steward

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I. SUBMISSION

This matter came before this Fact Finder pursuant to the laws of the State of Iowa, the parties having failed resolve of their differences prior to this fact finding hearing. The fact finding hearing was scheduled and conducted on June 17, 2002, at the conference facility of the employer in Mason City, Iowa, whereat the parties presented their evidence and argument. Both parties agreed that this matter was properly before the fact finder on the issue of wage only; that the witnesses, if any, need not be sworn and that sequestration was not necessary. It was upon this evidence and argument that this matter was heard and that this report was thereafter rendered.

II. STATEMENT OF FACTS

The parties, at hearing, agreed that the only issue is wages, all other issues between the parties having been settled prior to this hearing. The facts further revealed that 52 employees, over 5 classifications are covered by this bargaining unit, namely police officers, sergeants, communication officers, utility workers and parking enforcement personnel. The contract year is from July 1, 2002 to the last day of June 2003.

The city has offered 3% across the board to this unit, a wage offer over the consumer price index which reflects a mere 1.6% increase over the previous 12 months ending in April 2002. According to the hearing brief, the union request reflected the following request: the union, as I understand it desired 5% across the board and a 0.5% increase for each year of

service except that the communication officers should receive 6% as well as 0.5% for each year of service.

The wage payment comparables of the cities in Iowa were placed into the record by each party. There was no showing of the economic package for each city on the comparables. While wages were placed into the record, such bare wage information alone did not reflect the entire monetary package of each of the comparables.

There was no defense by the city of inability to pay a reasonable increase. The record revealed that other city workers were offered and accepted a 3% across the board increase with the Mason City water works employees being the only exception since they were on a multi-year contract which the local bargaining unit (IBT Local 828) herein had refused.

It was upon those facts that this matter rose to fact finding and upon which this report was written.

III. OPINION AND DISCUSSION

The parties placed many exhibits along with other oral evidence and argument, all of which formed a basis for this report. Each item was studied and perused as to its relevancy and probative value to the issue sought to be proved.

It is important to understand comparables. Comparables are more than an extrapolation of a number from a contract. The financial comparable must reveal the other elements under which those wage numbers exist. For example, if a wage of \$30,000.00 per year is pulled from one contract to compare to the wage offer of \$29,000.00 to a Mason City offer, the type of health care, the other contractual benefits of seniority, vacation leave, bid opportunities, overtime availability, etc., all have a serious impact upon the comparable wage number. Without that added information, the bare wage number is of very little help. The evidence by both parties on this case in that regard failed to reveal the other items in the contract from which those wage numbers came. Comparables must also reveal the same market area. The cities used in this case by both parties did not reveal the market area.

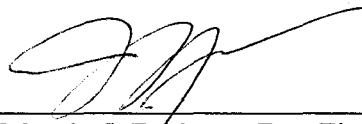
The bargaining unit also sought to change the type of seniority payment from an across the board raise to a grid usage. That was a novel approach also for this bargaining unit. There is no history or pattern whatsoever to show that increases are given in percentage increase for each year of service. All such raises were across the board historically not by percentage for each year of service. Thus the bargaining unit did not seek merely a higher wage but also sought to change the type of wage rate increase. No such evidence of any comparables or practice of that were placed into evidence.

From all of this, I am motivated to allow the bargaining unit herein a 3% increase across the board, a wage offered by the city for a one year contract and the same offered to

others in the employ of the city. It appears to me that a pattern has been established. Police are a special group since the security of the public is reliant upon them, but they too must fall within the perimeters of a budget. The parties denied the filing of any brief.

IV. AWARD

It is the finding of the Fact Finder that 3% across the board be awarded to the bargaining unit herein.



Marvin J. Feldman, Fact Finder

Made and entered
this 26th day
of June 2002.

CERTIFICATE OF SERVICE

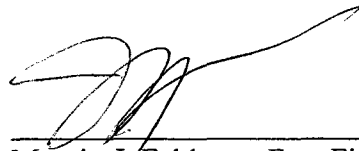
I certify that on the 26th day of June 2002, I served the foregoing Report of Fact Finding upon each of the parties to this matter by mailing a copy to them at their respective addresses as shown below:

Ron Wheeler, Representative for IBT
404 15th Street, NW
Mason City, IA 50401

Chuck McManigal, Attorney for
Mason City
10 N. Washington, Suite 300
P.O. Box 1567
Mason City, IA 50402-1567

Brian Carrott, HR Manager, Mason City
10 First Street, Northwest
Mason City, IA 50401

I further certify that on the 26th day of June 2002, I did submit this report for filing by mailing it to the Iowa Public Employment Relations Board, 514 East Locust Street, Suite 202, Des Moines, Iowa 50309.



Marvin J. Feldman, Fact Finder